

IN THE UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF WASHINGTON

JENNIFER L. BROCK,

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant

Civil No. 2:06-CV-3031-AAM

ORDER FOR REMAND AND
CLOSING FILE

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings, including the following: upon receipt, the Appeals Council will vacate its denial of the request for review for the purpose of further considering the merits of the appeal, including evaluation of the third party statement not previously addressed and the evaluation of mental impairment. Plaintiff counsel will be permitted to submit further argument on the merits of the claim and to submit additional medical evidence regarding the deceased claimant death and any treatment prior to thereto. The Appeals Council does not agree that this case will be remanded to an Administrative Law Judge, but will make a determination as to whether such action is warranted following consideration of the record and any additional material received. This remand is pursuant to sentence four of 42 U.S.C. 405(g).

The Clerk is directed to CLOSE the file.

///
///

DATED this 7th day of March 2007.

s/ Alan A. McDonald
HON. ALAN A. McDONALD
SENIOR UNITED STATES DISTRICT JUDGE

Presented by:

s/ THOMAS M. ELSBERRY WSB # 26456
Special Assistant United States Attorney
Office of the General Counsel
701 Fifth Avenue, Suite 2900 M/S 901
Seattle, WA 98104-7075
Telephone (206) 615-2112
FAX (206) 615-253-2531
thomas.elsberry@ssa.gov